

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

David Wadsworth
fka Karen Latkanich
Karen L Wadsworth
Debtor(s)

Bankruptcy Case No.: 17-24220-GLT
Issued Per Mar. 18, 2021 Proceeding
Chapter: 13
Docket No.: 125 – 111, 118, 122
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated March 1, 2021 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☒ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: The Trustee's Certificate of Default to Dismiss [Dkt. No. 117] is resolved by the proposed confirmation of Debtor's amended plan.

The secured claim of Bank of America (Claim No. 13) shall govern, and then following all allowed post-petition payment change notices filed of record.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: March 22, 2021

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
David Wadsworth
Karen L Wadsworth
Debtors

Case No. 17-24220-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Mar 22, 2021

User: jhel
Form ID: 149

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Total Noticed: 25

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 24, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ David Wadsworth, Karen L Wadsworth, 309 Baltimore Street, Belle Vernon, PA 15012-1562
cr	+ Carrington Mortgage Services, LLC, et al., 1600 South Douglass Road, Suite 200-A, Anaheim, CA 92806-5948
cr	++ PHEPLE FEDERAL CREDIT UNION, 2900 SEMINARY DRIVE, BUILDING G, GREENSBURG PA 15601-3734 address filed with court:, Westmoreland Community Federal Credit Union, 2900 SEMINARY DRIVE, BUILDING G, GREENSBURGH, PA 15602
14714439	+ Brclysbankde, Po Box 8803, Wilmington, DE 19899-8803
14732037	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C, 845 N. Lincoln Avenue, Pittsburgh, PA 15233-1828
14725481	+ VW Credit, Inc., PO Box 9013, Addison, Texas 75001-9013
14743848	+ Wells Fargo Bank, N.A., d/b/a WFDS, P.O. Box 19657, Irvine, CA 92623-9657
14714448	+ Wesbanco Inc, 1 Bank Plaza, Wheeling, WV 26003-3565
14714450	+ Wfids/wds, Po Box 1697, Winterville, NC 28590-1697

TOTAL: 9

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: bankrupt-adjdept@wesbanco.com	Mar 23 2021 08:55:00	WESBANCO BANK, INC, 1 BANK PLAZA, WHEELING, WV 26003-3565
14759829	+ Email/Text: BKBCNMAIL@carringtonms.com	Mar 23 2021 08:52:00	Bank of America, N.A., c/o Carrington Mortgage Services, LLC, 1600 South Douglass Road, Anaheim, CA 92806-5948
14714440	+ Email/Text: BKBCNMAIL@carringtonms.com	Mar 23 2021 08:52:00	Carrington Mortgage Services, 1600 South Douglass Road,, Suite 200-A, Anaheim, CA 92806-5951
14714441	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Mar 23 2021 08:53:00	Cb/buckle, Po Box 182789, Columbus, OH 43218-2789
14714442	Email/Text: mrdiscen@discover.com	Mar 23 2021 08:52:00	Discoverbank, Po Box 15316, Wilmington, DE 19850
14714443	Email/Text: sbse.cio.bnc.mail@irs.gov	Mar 23 2021 08:53:00	Internal Revenue Service, PO Box 21126, Philadelphia, PA 19114
14714444	+ Email/Text: bankruptcydpt@mcmcg.com	Mar 23 2021 08:55:00	Midland Fund, 2365 Northside Dr Ste 30, San Diego, CA 92108-2709
14754122	+ Email/Text: bankruptcydpt@mcmcg.com	Mar 23 2021 08:55:00	Midland Funding LLC, PO Box 2011, Warren, MI 48090-2011
14714445	Email/Text: RVSVCBICNOTICE1@state.pa.us	Mar 23 2021 08:54:00	PA Dept. of Revenue, PO Box 280946, Harrisburg, PA 17128-0946
14726564	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Mar 23 2021 06:25:06	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541

District/off: 0315-2

User: jhel

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14715308	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Mar 23 2021 06:35:40	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14728243	Email/Text: RVSVCBICNOTICE1@state.pa.us	Mar 23 2021 08:54:00	Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946, Harrisburg, Pa. 17128-0946
14790338	Email/Text: bnc-quantum@quantum3group.com	Mar 23 2021 08:53:00	Quantum3 Group LLC as agent for, Galaxy International Purchasing LLC, PO Box 788, Kirkland, WA 98083-0788
14714446	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Mar 23 2021 06:25:08	Sunoco/citi, Po Box 6497, Sioux Falls, SD 57117-6497
14714447	Email/Text: vci.bkcy@vwcredit.com	Mar 23 2021 08:55:00	Vw Credit, 2333 Waukeegan Rd, Deerfield, IL 60015
14757816	Email/PDF: EBN_AIS@AMERICANINFOSOURCE.COM	Mar 23 2021 06:46:59	Verizon, by American InfoSource LP as agent, PO Box 248838, Oklahoma City, OK 73124-8838

TOTAL: 16

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		BANK OF AMERICA, N.A.
cr		VW Credit, Inc.
14745576		Westmoreland Community Federal Credit Union
cr	*+	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
cr	*+	Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
14714451	*P++	PHEPLE FEDERAL CREDIT UNION, 2900 SEMINARY DRIVE, BUILDING G, GREENSBURG PA 15601-3734, address filed with court:, Wstmrlnd Fcu, 238 S Pennsylvania Ave, Greensburg, PA 15601
14714449	##+	Westmoreland Community Federal, 1007 Georges Station Road, Greensburg, PA 15601-6982

TOTAL: 3 Undeliverable, 3 Duplicate, 1 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 24, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 22, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor VW Credit Inc. bnicholas@kmlawgroup.com
Corey J. Sacca	on behalf of Debtor David Wadsworth csacca@bononilaw.com coreysacca@gmail.com;bankruptcy@bononilaw.com;bononiecmail@gmail.com;r39887@notify.bestcase.com;3230706420@filing.docketbird.com

District/off: 0315-2

User: jhel

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Corey J. Sacca

on behalf of Joint Debtor Karen L Wadsworth csacca@bononilaw.com
coreysacca@gmail.com;bankruptcy@bononilaw.com;bononiecmail@gmail.com;r39887@notify.bestcase.com;3230706420@fili
ngs.docketbird.com

Kevin Scott Frankel

on behalf of Creditor Carrington Mortgage Services LLC, et al. pabk@logs.com, logsecf@logs.com

Kristen D. Little

on behalf of Creditor Carrington Mortgage Services LLC, et al. pabk@logs.com, klittle@logs.com;logsecf@logs.com

Natalie N. Piscione

on behalf of Creditor Westmoreland Community Federal Credit Union covellilawoffices@yahoo.com ndantonio@covellilaw.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

TOTAL: 9